REMARKS

In the Office Action mailed October 6, 2004, Applicant's Information Disclosure Statements filed on 4/16/2002 and 1/3/2002 stand objected to for allegedly failing to comply with 37 CFRR 198(a)(2). Applicants have included herewith copies of the references previously alleged to have not been provided including the following: EP1065894A1, 01-03-01; WO94/19888, 09/01/1994; WO00/72514, 11/30/2000; and WO00/13373, 03/09/2000.

With respect to the currently pending claims, Claims 1-25 are currently pending. The specification is objected to due to an alleged minor formality. Claims 1-3, 8, 10-16, and 23-24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Meandzija (U.S. Patent No. 6,404,743). Claims 1-2, 4, 8, and 14 stand rejected under 37 U.S.C. § 102(b) as being anticipated by Tanaka et al. (U.S. Patent No. 5,471,399).

In addition, Claims 5-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanaka et al. (U.S. Patent No. 5,471,399) as applied to Claim 1 and 4, and further in view of Kline (U.S. Patent No. 4,080,589). Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Meandzija (U.S. Patent No. 6,404, 743) as applied to Claim 8, and further in view of MacFarlane et al. (U.S. Patent No. 6,516,348). Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Meandzija (U.S. Patent No. 6,404,743) as applied to Claims 1 and 14-16, and further in view of Gaffaney et al. (U.S. Patent No. 5,634,008). In addition, Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Meandzija (U.S. Patent No. 6,404,743) and Gaffaney et al. (U.S. Patent No. 5,634,008) as applied to Claims 1 and 14-17, and further in view of Tanaka et al. (U.S. Patent No. 5,471,399). Claims 19-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Meandzija (U.S. Patent No. 6,404,743) and Harvey (U.S. Patent No. 6,044,401). Claim 21 stands rejected under 35 U.S.C. §

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE, 32ND FLOOR
CHICAGO, IL 60606
(312)913-0001

103(a) as being unpatentable over Meandzija (U.S. Patent No. 6,404,743) and Harvey (U.S. Patent No. 6,044,401) as applied to Claims 19 and 20 and further in view of Tanaka et al. (U.S. Patent No. 5,471,399). Finally, Claim 25 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Meandzija (U.S. Patent No. 6,404,743) as applied to Claims 23 and 24, and further in view of Tanaka et al. (U.S. Patent No. 5,471,399).

Applicants respectively traverse. After a careful review of the Office Action and the cited references, Applicants respectively request reconsideration in view of the following remarks.

I. APPLICANT'S PRESENTLY CLAIMED INVENTION

Applicants' presently claimed invention is generally concerned with processing network management data received by a network management system during the monitoring of a network. It is known in the art that network management data is received and processed by a network management system in order to generate "events". Events are generated when predefined "event conditions" are indicated by the received network management data. Events are recorded, typically in an "event log", for review by a human network administrator, in order that he or she can identify problems occurring on the network.

Applicants' presently claimed invention is generally directed to methods and systems that processes received network management data, and determines if the network management data indicates that a previous (i.e. historical) event in the event log has been "resolved". As Applicants note in the present application at page 5, lines 16-21, an event is resolved if the network condition that caused the event to be generated is no longer present on the network. All of Applicants presently pending Independent Claims are generally directed to determining that

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE, 32ND FLOOR
CHICAGO, IL 60606
(312)913-0001

an event is resolved if the network condition that caused the event to be generated is no longer present.

For example, Independent Claim 1 expressly recites "determining if the network management data indicates the resolution of a previous event generated by the network management system in response to previously received network management data." The remaining Independent Claims contain similar language. For example, Independent Claim 8 expressly recites "periodically considering whether the monitored value has been below the predetermined threshold for a preceding time period, and if so determining that the event is resolved" and Independent Claim 13 expressly recites "considering if the Trap indicates the possible resolution of a event in an event log, and if so considering whether the event log includes a previously received event that is resolved by the Trap." See, also Independent Claim 19 ("method comprising identifying an event to be processed from the event list; and considering whether the condition which caused the event to be generated has occurred in a preceding time period"), Independent Claim 22 ("determining if the network management data indicates the resolution of a previous event generated by the network management system in response to previously received network management data,") and Independent Claim 23 ("determining if the network management data indicates the resolution of a previous event generated by the network management system in response to previously received network management data.")

As Applicants discuss in their application, the method of the present invention enables the human network administrator to determine which events, in a list of previously generated (i.e. historical) events (i.e. the event log), are indicative of current network problems, and which are indicative of problems which have been resolved, and no longer require attention. This

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE, 32ND FLOOR
CHICAGO, IL 60606
(312)913-0001

enables the network administrator to identify and concentrate on solving problems associated with prevailing conditions on the network.

II. 35 U.S.C. § 102 Rejections

Claims 1-3, 8, 10-16, and 23-24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Meandzija (U.S. Patent No. 6,404,743). Claims 1-2, 4, 8, and 14 stand rejected under 37 U.S.C. § 102(b) as being anticipated by Tanaka et al. (U.S. Patent No. 5,471,399). Applicants respectively submit that neither Meandzija '743 nor Tanaka '399 teach or suggest all of the elements expressly recited in Applicants' presently claimed invention.

For example, while Meandzija '743 appears to disclose a network management method that performs monitoring of a network, and receives network management data in the form SNMP MIB data, Meandzija '743 does not teach or suggest determining whether the received network management data resolves an historical event previously generated by the network management system.

The description of Meandzija '743 at column 10, lines 14-27 relied upon in the Office Action appears merely to describe that the network management station 110 retrieves MIB data from the SNMP agents, and sets out commands defined by SNMP, in particular GET, SET and TRAP, which commands are exchanged between the SNMP manager and SNMP agent. There is no mention, in this passage, of the generation of events based on received network management data.

However, at column 10, line 57 to column 11, line 2, an "events processing module 224" is disclosed, which "is used to provide event information that is communicated to the agent to define pre-conditions for the agent to generate an event. The event information also defines EFD

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE, 32ND FLOOR
CHICAGO, IL 60606
(312)913-0001

information that defines pre-conditions for communicating a notification of an event from the agent 230 to the management station 210 via the network 160".

Moreover, Meandzija '743 discloses a "log processing module 226", as described at column 11, lines 3-12, which "is used to provide log information that is communicated to the agent to define pre-conditions for the agent to create a log entry for an event. The log information also defines log discriminator (LD) information that defines pre-conditions for creating the log entry for an event".

Thus, the SNMP agent is merely provided with defined "pre-conditions", which network management data must satisfy in order for (1) an event to be generated and (2) a generated event to be logged. This is no different from the conventional technique for generating events based on SNMP data in the SNMP manager (management station) as described in the introduction to the present application from page 3, line 7 to page 4, line 19. The function is merely performed in the SNMP agent as opposed to the SNMP manager. This is confirmed by the statement at column 6, lines 37-38 of Meandzija '743 "... certain events may not qualify to be logged". If an event condition, whether a "pre-condition" provided to the SNMP agent in accordance with the disclosure of Meandzija '743 or whether an "event condition" defined in an SNMP manager in accordance with the prior art discussed in the introduction to the application, is not met by received network management data, then no event is logged.

Thus, there is no disclosure or suggestion of determining, upon receipt of network management data, whether a previously generated (i.e. historical) event has been resolved, that is, the event condition that caused the historical event no longer exists. Meandzija '743 merely discloses that events are not generated when certain pre-conditions have not been met, without

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE, 32ND FLOOR
CHICAGO, IL 60606
(312)913-0001

considering whether a corresponding pre-condition previously met, such that an event was previously generated, may now be resolved.

Accordingly, there is no disclosure or suggestion of "determining if the (received) network management data indicates the resolution of a previous event generated by the network management system in response to previously received network management data" as expressly recited in Applicants' presently pending Independent Claims.

Tanaka '339 fails for similar reasons. For example, Tanaka '339 fails to disclose or suggest a method in which it is determined whether received network management data is indicative of the resolution of a previously generated event.

Tanaka '339 appears to disclose a network management system in which icons for managed object instances (i.e. devices) are displayed, with an indication of their status. If a fault condition is detected in relation to a device, Tanaka '339 teaches that the fault state is changed, for instance by changing the color from blue to red (see Tanaka '339 column 8, lines 1-7). This status indication does not correspond to the generation of event, in response to an event condition being detected. Moreover, even if this change of status could be considered to correspond to an event, there is no disclosure or suggestion in Tanaka '339 of determining whether received network data indicates the resolution of a previously generated event. Tanaka '339 appears merely to decide whether or not to display a fault condition based on received network management data, dependent on the fault importance. This is reflected in the passages relied upon in the October 6, 2004 Office Action, namely Tanaka '339 column 1, lines 48-51 and lines 59-62 as well as column 7, lines 54-64. There is no disclosure or suggestion of determining whether a previously generated event has been resolved.

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE, 32ND FLOOR
CHICAGO, IL 60606
(312)913-0001

To anticipate a claim, "each and every element set forth in the claim [must be] found, either expressly or inherently described, in a single . . . reference." *Vergall Bros. V. Union Oil Co. of California*, 814 F.2f 628, 631 (Fed. Cir. 1987) (M.P.E.P. Section 2131). Consequently, since neither Meandzija '743 nor Tanaka '339 teaches or suggests "determining if the (received) network management data indicates the resolution of a previous event generated by the network management system" in response to previously received network management data (claims 1, 22 and 23. Moreover, neither Meandzija '743 nor Tanaka '339 teaches or suggests the particular techniques for determining the resolution of specific previous events as defined in claims 8, 13, and 19. Neither Meandzija '743 nor Tanaka '339 therefore teach every element of the claimed invention and, therefore do not anticipate Applicants' Independent Claims.

VI. SUMMARY

Applicants respectfully submit that, in view of the remarks above, the present application, including claims 1-25, is in condition for allowance and solicit action to that end. Independent Claims 1, 8, 13, 19, 22, and 23 are allowable for at least the reasons discussed above. Dependent claims 2-7, 9-12, 14-18, 20-21, and 24-25 all depend from either Independent Claims 1, 8, 13, 19, 22, or 23 and are therefore allowable for at least the reasons set forth above.

If there are any matters that may be resolved or clarified through a telephone interview, the Examiner is respectfully requested to contact Applicants' undersigned representative at (312) 913-0001.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Date: February 4, 2005 By: _____

Thomas E. Wettermann
Reg. No. 41,523

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE, 32ND FLOOR
CHICAGO, IL 60606
(312)913-0001